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New York

Chairman: Mr. Hoffmann . . . . . (Germany)

The meeting was called to order at 3.25 p.m.

General exchange of views

Mr. Cárdenas (Argentina) (*interpretation from Spanish*): On behalf of my delegation, and in my own capacity, I wish to convey to you, Sir, and to the other members of the Bureau, warmest congratulations on your election at this new session of the Disarmament Commission.

This session is taking place after the recent historic signing of the Pelindaba Treaty. Africa has thus become the fourth region to renounce the development, production, stockpiling, possession and acquisition of nuclear weapons. This momentous decision represents the successful culmination of the lengthy process which began at the start of the 1960s.

In this context, and as a full-fledged member of one of the four denuclearized zones on Earth, I wish to extend my special congratulations to the countries which signed the Treaty. This Treaty gives my country reason to hope that, as we enter the twenty-first century, we will have the legal instruments necessary for the final elimination of weapons from the face of the Earth.

Illicit arms transfers are one of the greatest concerns for the entire international community. They not only constitute a breach of the internal security of States, but threaten regional and global stability. Unfortunately, experience has repeatedly confirmed this. In this context, Argentina, on 2 April 1996, became a full-fledged member of the Wassenaar arrangement. We see this as a further effort to promote transparency and mutual trust among States in carrying out transfers of conventional weapons and dual-purpose industrial technology. We therefore believe that in the context of a clear policy of regional leadership, consistent with our conduct, we are contributing to regional security and stability.

Argentina is convinced that greater candour and transparency in the field of arms will improve confidence, promote stability and help all States to exercise the greatest possible moderation in their national arms transfer policies. All these activities will, in the final analysis, help to strengthen peace.

My country decided to participate actively in the Wassenaar arrangement as a result of experience already acquired in the sphere of arms control, and in the context of our full commitment to the policy of prevention of the acquisition of sensitive arms or dual-purpose material, or technology with military purposes, by countries whose conduct does or could give rise to serious concern for the international community.

It should be highlighted that in my region there has been no excessive or destabilizing stockpiling of weapons, and that the region has only a minimal share of the world market for the transfer of conventional arms. Argentina endorses the guidelines, purposes and principles set out in the Wassenaar arrangement, and urges their adoption at the regional level.

At a global level, my country endorses, on a preliminary basis and in the context of Article 51 of the Charter, the establishment of a rational limit on the sum

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which a State should be able to spend on weapons as a direct function of its gross domestic product. It would also be very helpful for international financial institutions seriously to consider whether they should respond favourably to applications for international loans from countries making significant weapons purchases. As a corollary to that measure, States which significantly reduce their national defence budgets should be given special consideration when they seek financing from international organizations.

As we have said at previous substantive sessions, that is why Argentina believes that the Disarmament Commission provides the appropriate framework to explore the possibilities of enhancing the effectiveness of measures adopted individually, harmonizing initiatives already adopted, considering the establishment of additional national measures where necessary, and promoting cooperation in eliminating illicit arms transfers.

In this regard my delegation will support the efforts of Commission members to arrive at a consensus text containing the important recommendations made on this subject over the past three years. In this context, the Argentine Republic suggests that the following concepts, among others, should be reflected in the document. First, there should be common, appropriate and effective criteria for monitoring international arms transfers. Secondly, all States parties should be obliged to ensure that their use of such international transfers is responsible and moderate. Thirdly, international arms transfer monitoring measures should be adopted and complied with by the greatest possible number of States. Fourthly, we should monitor international transfers in a broad context aimed at promoting confidence-building and transparency, with a view to contributing to United Nations efforts to reduce tension, resolve regional conflicts, prevent an arms race and achieve disarmament.

My country is in favour of the establishment of nuclear-weapon-free zones, as it is firmly convinced that this would provide the appropriate legal mechanism for strengthening regional and global peace and security and for the utilization of nuclear energy for purely peaceful purposes. This strong conviction is based on the successful regional track record of the Treaty of Tlatelolco, which allowed for the establishment of the first densely populated, and totally and verifiably nuclear-weapon-free zone on the planet. On the basis of our own history, we support that Treaty as an effective, key means in the struggle to combat the proliferation of weapons of mass destruction and promote the establishment of new nuclear-weapon-free zones, and, wherever possible, to eliminate such weapons, under effective international supervision.

Systems for keeping account of and monitoring nuclear material, through the implementation of agreements by Member States under comprehensive International Atomic Energy Agency safeguards, are absolutely necessary if we are to ensure the effectiveness of these zones. At the bilateral level, we have established a joint agency with the neighbouring Republic of Brazil, to account for and monitor nuclear weapons. In our opinion, this would be a useful example for the Commission to study.

Before concluding, I would like to touch briefly on the item entitled, "Exchange of views on the fourth special session of the General Assembly on disarmament". My country believes that significant progress is being made in the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and in the review of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. The same is true of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects.

Similarly, in the past few years it has been possible to identify nuclear disarmament issues that are open to negotiation, such as a comprehensive test-ban treaty and a convention on the prohibition of the production of fissile material. Argentina believes that the entire international community should set aside rhetoric and combine — indeed, step up — its efforts for the gradual achievement of general and complete disarmament.

The conclusion of a comprehensive test-ban treaty and the early start of negotiations on the prohibition of the production of fissile material certainly constitute concrete steps in this direction. Argentina therefore believes that the Commission should give serious consideration to convening a fourth special session on disarmament, to consider in particular the implications of success in the negotiations currently under way.

Mr. Orlov (Russian Federation) (*interpretation from Russian*): I would like first to congratulate you, Sir, on your election as Chairman of the United Nations Disarmament Commission, and to wish you success in

your responsible post. Of course, you can count on the cooperation of the Russian delegation as you carry out the tasks before you. This session of the Disarmament Commission is taking place immediately after the high-level meeting in Moscow on questions of nuclear security. Convinced as we are that the outcome of the Moscow summit will create a positive climate for success for our joint work, we offer the following comments.

The process of disarmament is continuing to develop under the conditions of a post-confrontational period. Reductions in nuclear arms have broadened. It would not be an exaggeration to say that interconnected events have ensured a breakthrough in the area of disarmament, namely the signing of the START II Treaty and the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1995.

We would like to focus on our vision of the priorities in the area of multilateral disarmament. Among them are the consolidation of existing systems for the non-proliferation of weapons of mass destruction, the enactment of nuclear test bans and the integration of control over armaments in the broad context of international security. The efforts of the international community should, in the short term, be focused on the elaboration of a multilateral treaty on the complete, comprehensive prohibition of nuclear tests. In this regard, the Russian delegation would like to express its satisfaction at the progress achieved in negotiations on the prohibition of nuclear tests in the context of the Conference on Disarmament. We hope that the real possibility for concluding this historic agreement this year will not be lost.

The multilateral efforts to consolidate the system of the NPT are particularly important at this stage. We are convinced that the existing global non-proliferation regime, should be consolidated by concrete steps aimed specifically at regions and States with particular non-proliferation concerns, or which give rise to particular concerns in this area. For its part, Russia has done everything possible to stockpile the nuclear weaponry of the former Soviet Union on its territory. This year, we plan to complete the withdrawal of nuclear arsenals from Belarus and Ukraine and to dismantle them. We feel certain that it is in the interests of the entire world community that nuclear weapons in the remaining nuclear countries should also be concentrated within their own national territories.

With regard to non-proliferation, the adoption by the nuclear States of documents dealing with the question of guarantees to States with no nuclear weapons, including Security Council resolution 984 (1995) on security guarantees for non-nuclear States, is of particular importance. However, if movement in these directions relating to the disarmament agenda gives rise to a certain optimism, several problems remain that will require energetic, joint, coordinated efforts by the international community.

Given the shift of the basic thrust of international security from the global to the regional level, the timely implementation of regional and subregional disarmament measures is becoming increasingly urgent. These should be an integral part of the preventive diplomacy efforts taking place in the United Nations system, which are of the greatest importance in maintaining regional stability. We believe that working out effective, strong, disarmament agreements should be a basic element of United Nations peace-building and peacemaking. This would help reduce the intensity of conflicts and the risk of hostilities being resumed.

Among the present tasks of the United Nations are those relating to control. We stress that a comprehensive strategy for international control and appropriate multilateral mechanisms must be developed and enhanced. Russia affirms its readiness to continue studying possible initiatives aimed at developing international cooperation in this area.

The present stage in the disarmament process raises a whole set of problems, the discussion of which could in fact be a basis for the work of the fourth special session of the General Assembly devoted to disarmament (SSOD IV). At the same time, we feel that such forums require serious, detailed preparation and careful construction of their underpinnings. They should not be merely an exchange of views to be developed or improved upon. They should yield a long-term political return in the light of the discussions at the Conference on Disarmament, at the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and at the fiftieth session of the General Assembly. We still have doubts that we will be able by next year to work out consensus decisions on the main results and orientation of the development of the multilateral disarmament process.

The question of the illegal trade in conventional arms is becoming increasingly urgent, and including it on the agenda of our present session was completely justified. The danger for international and regional security of uncontrolled trade in such arms is widely

recognized. Now the world has come to understand the need to prevent this traffic in arms, which can promote regional and internal destabilization, and fuel international terrorism. Russia reaffirms its readiness to agree, on a non-discriminatory basis, with all interested parties on the regulation of international arms flows. To ensure effective international regulation of such shipments, the participation of all main suppliers and recipients of arms is necessary.

An effective struggle against the illegal arms trade is impossible without political measures to managing local and regional conflicts and continuing the multilateral disarmament process and measures against international terrorism. In this regard, new prospects for joint action by the leading world Powers, in important areas such as the eradication of terrorism, were offered by the summit which took place in March in Sharm El Sheikh. Our fundamental position is that the problem of terrorism requires global strategic approaches. It is extremely important that actions to counter terrorist activities be of a universal nature. We are convinced that joint efforts by States are needed in the struggle against terrorism.

An important role here can be played by effective measures to combat illegal arms shipments. The eradication of the illegal arms trade depends to a great extent upon the development of national legislation and mechanisms, and their implementation, in the area of arms exports and imports. Russia's policy for control of conventional arms shipments corresponds to its international obligations in this area; the terms of its system of export control meet international standards. All these aspects of the problem of the illegal conventional arms trade should, we feel, be reflected in the guidelines that the Commission will be developing in this area.

Whether or not we include the item of nuclear-weapon-free zones on the agenda of the Disarmament Commission, we feel it necessary to stress that the establishment of such zones in various regions of the world is an important element of the maintenance of international peace and security, the promotion of the development of the disarmament process at the global and regional levels, and the consolidation of the NPT. The Russian Federation consistently supports the efforts of States to establish such zones in various regions of the world. We are pleased to note the conclusion of a Treaty to create a nuclear-free zone in Africa, and we welcome its signing.

A clear step in the right direction was taken with the decision of France, the United Kingdom and the United States to sign the appropriate protocols to the Treaty of *Rarotonga*.

We feel it necessary to stress also that Russia supports the establishment of a nuclear-weapon-free zone in South-East Asia. In this connection, we would like to express the hope that measures will be taken to establish a Middle East zone free of all types of weapons of mass destruction.

Russia's position remains consistent on the need for strict compliance, in concluding treaties on nuclear-free zones, with the generally recognized norms of international law. The force and effect of such treaties cannot be extended beyond the territories of the States participants, including their airspace and territorial waters, as established in accordance with international law.

In conclusion, I express the hope that the decisions taken this year by the Commission will make a substantial, important contribution to solving all these problems.

Mr. Babar (Pakistan): Please accept the felicitations of the Pakistan delegation, Sir, on your election as Chairman of the 1996 substantive session of the Disarmament Commission. I am confident that, with your knowledge and expertise in the field of disarmament, you will successfully steer the work of the Commission in the next two weeks. I would like to assure you of my delegation's fullest support and cooperation in the discharge of your responsibilities. Allow me also to express our appreciation to your predecessor, the representative of Mongolia, for the skilful manner in which he guided the work of the Commission last year.

Pakistan attaches great importance to the work of the Disarmament Commission. It is the only deliberative body with universal membership. The Final Document of the first special session of the General Assembly devoted to disarmament (SSOD I) mandated the Disarmament Commission, *inter alia*, to consider the elements of a comprehensive programme of disarmament and to submit its recommendations to the General Assembly. However, despite the lapse of nearly two decades, the Commission has not been able to prepare an action-oriented disarmament programme. It has failed to do so partly due to the lack of political will on the part of some key players and partly because of attempts by certain countries to slow down the work of the Commission by unduly focusing on organizational matters.

In 1990, an effort was made to find ways and means to enhance the functioning of the Disarmament Commission. A set of measures, contained in document A/CN.10/137, was adopted by the Commission that year. The document focuses on agenda items, duration and organization of work. While it was reiterated that the Commission should meet for a period not exceeding four weeks, it was proposed that the duration of substantive sessions could be reduced for efficient utilization of conference services. Consequently, less time has been devoted ever since to disarmament work in the Commission. This year, the duration of the session has been further curtailed to two weeks to cater to other disarmament meetings being held simultaneously. In principle, the session of this universal deliberative body should have taken precedence over other disarmament bodies with limited or restricted membership.

In fact, it is the insufficient time allocated for the work of this Commission which has been one of the main reasons for the failure of the Commission to achieve concrete progress. Members will agree that in allowing two to three weeks every year to discuss a broad range of important issues, we cannot expect the Commission to produce results.

In 1990 it was also decided that for each session, the working agenda should comprise four substantive items. However, in the recent past we have considered no more than three items. Recently, it has been proposed by some to reduce the agenda items to two only. Moreover, attempts are being made to establish an inverse link between the number of items and the duration of the substantive session. Such unrealistic linkages are attempts to render the Commission ineffective and to find an excuse to disband it.

It is also unfortunate that the Commission this year has been mainly preoccupied with organizational issues. We have not yet agreed on a third substantive agenda item, for reasons known to everyone. One possible solution for avoiding such blockages in the future would be to prepare an indicative list of agenda items for consideration by the Commission over a period of five years. This could be done by convening special organizational meetings in addition to the regular sessions of the Commission. Furthermore, it may be appropriate to revisit the document entitled, "Ways and means to enhance the functioning of the Disarmament Commission".

I am confident that under your able guidance, Mr. Chairman, we will be able to reach a consensus on a third agenda item regarding principles and guidelines on nuclear-weapon-free zones.

Since the first special session of the General Assembly devoted to disarmament (SSOD I) in 1978, the creation of nuclear-weapon-free zones has been considered to be an important component of the world community's endeavour to promote the goals of nuclear disarmament and nuclear non-proliferation. With the consolidation of the Treaty of Tlatelolco in Latin America, the adoption of the Pelindaba Treaty in Africa, the implementation of the Treaty of Rarotonga in the South Pacific and the signing by the countries of the Association of South-East Asian Nations (ASEAN) of an agreement on a nuclear-weapon-free zone, we are close to achieving our objective of the cessation of production and the elimination of nuclear weapons from the entire southern hemisphere.

It is, however, ironic that while nuclear-weapon-free zones have been established in various parts of the world, there has been no progress on the establishment of such a zone in South Asia, despite the repeated calls of the General Assembly. We remain hopeful that this will become a reality someday.

Pakistan attaches the highest priority to the eradication of illicit arms transfers, which are often associated with terrorism, drug trafficking, organized crime, mercenarism and other destabilizing activities. Pakistan has itself been a victim of terrorism. We strongly condemn terrorism in all its forms and manifestations.

The Commission will this year conclude its deliberations on international arms transfers. Last year, Mr. Chairman, you circulated an excellent paper on this subject. We feel that your paper could form a good basis this year for our deliberations on evolving guidelines on this agenda item.

While we support the banning of the illicit trade in weapons, we would like to reiterate that the Commission's recommendations to halt illicit trade in arms should be without prejudice to the right of States to maintain armed forces for self-defence, as clearly stipulated in Article 51 of the Charter. The Commission should also take into consideration the right of peoples struggling for the realization of their right to self-determination and liberation from foreign occupation, as stated in General Assembly resolution A/33/24 and

enshrined in paragraphs 83 and 85 of the Final Document of SSOD I.

The need for holding a fourth special session of the General Assembly devoted to disarmament cannot be overstated in the post-cold-war era. The present international climate provides a favourable opportunity to evolve a global action plan in the field of disarmament. Though, during the current session, the Commission will hold preliminary discussions on SSOD IV, this cannot be a substitute for the convening of a preparatory committee on this issue later this year.

The importance of the Disarmament Commission cannot be overemphasized. Instead of making the Commission ineffective by engaging it in procedural debates or proposing its abolishment, the international community should consider ways and means to enhance its functioning and effectiveness. A negotiating body, even if it is made universal, cannot be a substitute for a deliberative body such as the Disarmament Commission, which discusses a broad range of disarmament issues.

Mr. Albin (Mexico) (*interpretation from Spanish*): Allow me, Sir, to congratulate you, on behalf of my delegation, on your election as Chairman of the Disarmament Commission at its 1996 substantive session. We are confident that your experience and negotiating ability will be most helpful in our common endeavour to attain the objectives we have set for the Disarmament Commission this year. We also congratulate the Chairmen of the Working Groups, as well as the Vice-Chairmen and the other members of the Bureau, on their respective elections, and wish them every success in the work we are starting today.

Before I take up the items on our agenda for this year, permit me to voice some considerations about our Commission's methods of work. For the second consecutive year, we have agreed as an exception to reduce the duration of the Commission's session to two weeks and one day. This reduction directly affects the consideration of the Commission's agenda items. We reiterate our position that such reductions in no way set a precedent for future sessions. We trust that for its next substantive session, the Commission will resume its original duration of three weeks and one day.

Over the past three years, it has been increasingly difficult to agree on new items for the Commission's agenda to replace those that have been withdrawn either because their consideration has been concluded or because, after a given number of years on the agenda, the Commission has been unable to reach agreement. It is clear that the agreements reached in 1992 aimed at improving and enhancing the work of the Commission, are not functioning appropriately in this respect. It is therefore necessary to initiate an evaluation to see what has worked and to identify measures that could be taken to ensure optimal functioning of the Commission, thus contributing to its strengthening.

One possible solution could be a list of previously negotiated issues on the main aspects of disarmament traditionally considered by the Commission, such as conventional weapons, nuclear weapons and questions of theory versus practice. Once the Commission had approved this list, the inclusion of new items in each category to replace those removed from the agenda could be somewhat automatic, thus maintaining, as agreed, the phased three-item system.

In any event, my delegation is fully prepared to contribute to finding formulas for enhancing the Commission's work from an organizational standpoint and in respect of the consideration of substantive items.

For the third year now, the Commission is considering the item "International arms transfers, with particular reference to General Assembly 46/36 H of 6 December 1991". We feel that this important item is becoming increasingly topical, given the violent events that have taken place and that persist in many countries. The vast number of conventional weapons being transferred virtually without control pose a serious threat to the stability of the societies of many countries and are a direct cause of many deaths, especially among civilians.

That is why we support the consideration of the problem of international transfers of conventional weapons in all its aspects. We must speed the adoption of effective mechanisms aimed at preventing, controlling and monitoring transfers at every stage, in full respect for the sovereignty of States, national laws and relevant international law. We believe that the working paper submitted last year by the Chairman of the Working Group on this topic provides a sound basis for negotiation, although we feel that it is essential for it to be carefully reviewed in order to ensure that it answers the concerns of all States and can thus be adopted by consensus.

The fourth special session of the General Assembly devoted to disarmament is an issue of the greatest

importance to all those countries, including my own, that are committed to the goal of the complete elimination of nuclear weapons and general and complete disarmament under strict international control. In our view, a careful assessment is required of the programmes, objectives and commitments in the field of disarmament that were agreed on in the Final Document of the first special session devoted to disarmament, held in 1978. This will help us to identify the progress made since then and to establish goals and strategies for promoting the full implementation of the commitments undertaken.

Subject to the Commission's identification of aspects related to the organization and substantive issues of the fourth special session, we believe that one of its first objectives could be the consolidation of a comprehensive programme of disarmament, in keeping with the priorities established in the 1978 Final Document. This would include a nuclear disarmament programme designed to eliminate nuclear weapons within a defined time-frame. For my delegation, the provisions of the 1978 Final Document remain fully valid. In due course, my delegation will make specific comments on this agenda item, which has already been approved.

Before concluding, I must express our pleasure at the recent conclusion of the Pelindaba Treaty and extend our congratulations to the States signatories to that instrument, which unquestionably represents another major step forward in our collective efforts to achieve a world free from the nuclear threat.

Lastly, I reiterate to you, Sir, our delegation's firmest support for and cooperation in the work of the Commission and its Working Groups.

Mr. Razali (Malaysia): The Malaysian delegation recognizes your competence and leadership, Sir, as you assume the chairmanship of the Disarmament Commission.

The Malaysian delegation continues to maintain that the United Nations has a central role and a primary responsibility in the field of disarmament and that use of the existing multilateral machinery to promote the cause of international peace and security should therefore be made to the fullest. It is encouraging to note that the second resumed session of the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or To Have Indiscriminate Effects is taking place at the same time in Geneva.

My delegation supports the role of the Disarmament Commission as the specialized deliberative body within the United Nations disarmament machinery that allows for in-depth deliberations on specific disarmament issues and for the submission of concrete recommendations. This is especially important for the majority of member States, as all the Member States of the United Nations are represented on the Disarmament Commission, which certainly has significant implications for all of us.

My delegation regrets that the last substantive session was unable to achieve agreement on the items on the process of nuclear disarmament in the framework of international peace and security and on the review of the Declaration of the 1990s as the Third Disarmament Decade. There should be progress in our working methods, and the concept of consensus should not be exploited by powerful countries solely to hold up decisions of the majority and hamper progress on important issues.

While we welcome the decision of the Conference on Disarmament to expand its membership, we nevertheless regret that such limited expansion prevents it from being a truly effective negotiating forum. We also maintain the position that non-governmental organizations should also be included in disarmament forums, as they too could make some valuable contributions to the cause of international security. Many delegations, including Malaysia's, will continue to push for open membership of the Conference on Disarmament.

Since the last substantive session of the Disarmament Commission, in May 1995, many significant developments have taken place, some of which I should like to highlight today.

The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which was held in April and May last year, certainly focused the world's attention on the dangers of nuclear weapons. It will be recalled that Malaysia was one of those countries which had opposed the indefinite extension of that Treaty. We maintained that it would tantamount to giving *carte blanche* to the five nuclear Powers. We argued for a limited time-frame. Eventually, we chose not to oppose the decision of the majority. But our worst fears were confirmed when certain nuclear Powers chose to resume nuclear testing. Despite global condemnation, they persisted. We cannot accept the many excuses given that such testing is required to ensure the safety and reliability of nuclear

weapons. The recent declaration issued in Moscow by the Group of 7 on the completion of the negotiations on a comprehensive test-ban treaty by 1996 is a positive development, although it is disappointing that some in Moscow had expressed caveats. It is unfortunate, however, that such a declaration was adopted only after a series of nuclear tests had already taken place; these are bound to be exploited by other States, recognized nuclear States and threshold States alike. This is evident in the difficult negotiations on a comprehensive test-ban treaty taking place in Geneva, where the outcome remains less than certain.

Given the threat that nuclear weapons pose to the survival of humankind and the welfare of our planet, Malaysia joined a number of other countries in submitting both oral and written statements to the International Court of Justice. The Court's action was in response to resolutions of both the World Health Organization and the General Assembly seeking an advisory opinion on whether the use or threat of use of nuclear weapons was legal. I personally had the privilege of making an oral representation to the Court. I am convinced that the Court has a historic, unique role on this issue and that its pronouncements will go a long way towards influencing opinions on the phasing-out of nuclear weapons.

Whatever the outcome of the Court's decision, the international community must continue to pursue the commitment set out in article VI of the NPT to eliminate nuclear weapons entirely. Humanity has overcome many fundamental challenges and successfully crossed many frontiers. The possession of nuclear weapons in the absence of the cold war is in effect nuclear domination, and the claim of nuclear-weapon States that their possession of such weapons discourages proliferation is as unacceptable as it is illogical, given the fact that there are States working to join the nuclear club on the argument that the present five have them. The Malaysian delegation and other delegations are prepared to begin the process of preparing a convention to eliminate all nuclear weapons. If we can do this with chemical and biological weapons, why not with nuclear weapons?

My delegation looks forward to the continuation of discussion on the item on international arms transfers, and specifically on the eradication of the illicit trade in all kinds of weapons and military equipment. We are aware that this will be the final year for the conclusion of this item. The Chairman's working paper, though heavily bracketed, can be the basis for our discussions. It will be a step backwards if no agreement can be reached during these two weeks of discussions.

It is time to take stock of the status of the United Nations Register of Conventional Arms. It is clear that the process to enlarge the categories has met political resistance. We run the risk of having a Register for its own sake and not as a confidence-building measure. Unless the world's leading arms exporters, which also happen to be the permanent members of the Security Council, and the acknowledged nuclear States cooperate, the arms Register's future is bleak. It will end up as just another format for monitoring other countries, especially those in the disfavour of the major Powers.

While we recognize the need for member States' national self- defence and security, weapons should never fall into the hands of irresponsible users or be used for illegal activities. It is for these reasons that my delegation participated actively in the creation of the 1992 United Nations Register. Such a transparent mechanism would have the effect of curbing illicit arms flows and contribute to confidence-building. Malaysia will be submitting its data on arms transfers within the week.

Malaysia welcomes the convening of the fourth special session devoted to disarmament in 1997. This special session will be the first since the end of cold war and will provide the opportunity to assess and prepare for the disarmament process into the twenty-first century.

My delegation sees nuclear disarmament as a top priority. Despite the inability of the second and third special sessions devoted to disarmament to reach agreement on a final document, the convening of the fourth special session in the post-cold-war era provides new opportunities for Member States to implement the priorities set out in the Final Document of the first special session. That Final Document elaborated a Programme of Action over 70 paragraphs. Its broad priorities cover disarmament negotiations on nuclear weapons; other weapons of mass destruction, including chemical weapons; conventional weapons, including those deemed to be excessively injurious or to have indiscriminate effects; and reduction of armed forces. The early convening of the fourth special session would be the best opportunity for a thorough discussion on the implementation of the Programme of Action.

Of late, the role of regional organizations and their approaches to the maintenance of international peace and security have gained prominence. Topping the list of

issues is that pertaining to nuclear-weapon-free zones. The Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held in 1995 in Colombia, reiterated that the establishment of nuclear-weapon-free zones is a necessary first step towards the elimination of weapons of mass destruction. Such regional efforts can be seen as useful contributions to the maintenance of international peace and security in line with Chapter VIII of the United Nations Charter.

The establishment of nuclear-weapon-free zones in various parts of the world today certainly signifies the importance and seriousness which regional organizations attach to the elimination of nuclear weapons. Moreover, such initiatives take account of people's aspirations for their regions to be free of nuclear domination.

South-East Asia, of which Malaysia is a part, taking inspiration from Latin America and the South Pacific, at long last concluded in December 1995 the Treaty on the South-East Asia Nuclear-Weapon-Free Zone. As a significant part of the Treaty, it called upon the nuclear Powers to accede to the Protocol to the Treaty. We in South-East Asia have played and will continue to play our role in ensuring that our region remains safe and free of nuclear weapons.

My delegation lauds the recent signing of the Cairo Declaration on the African Nuclear-Weapon-Free Zone — the Pelindaba Treaty. My delegation certainly hopes that other neighbouring regions and other regions which have not done so, particularly East Asia, South Asia, West Asia and even Europe, will initiate steps towards the eventual establishment of nuclear-weapon-free zones. This would contribute to a global system of nuclear-weapon-free zones that would in the process defeat the need for the production, acquisition and retention of nuclear weapons.

In the future, all regions will need to move away from the competitive model of national security that has regrettably come to dominate the international system over the years. Europe has three nuclear Powers. Where are the adversaries? A limited number of Governments are still wedded to the mind-set regarding nuclear weapons as the ultimate apparatus of power, and there are some that are interested in joining the group. Both groups contribute to a global threat in the face of a universal abhorrence of weapons of mass destruction in general and nuclear weapons in particular.

It has been highlighted throughout the media that the use of anti-personnel landmines poses grave dangers to civilian populations through its non-selective manner of destruction. It has been estimated that there are more than 110 million landmines in the ground in more than 60 countries. And if that is not bad enough, another 2 to 5 million new landmines are laid each year.

Is it not ironic that stress is laid on mine clearance when figures show that a mere 100,000 mines were cleared in 1994? While we recognize the need for demining and rehabilitation, there is an urgent need to address the broader problem of banning the export and production of anti-personnel landmines. We fully support the resolution adopted by the General Assembly at its fiftieth session on a moratorium on the export of anti-personnel landmines and look forward to an outright ban on such weapons. We maintain that the producers and exporters of these mines should be held liable for the cost of demining and rehabilitation. As observed by the Malaysian Prime Minister at the fiftieth session of the General Assembly:

> "He who profits from the tools of war must contribute to the maintenance of peace." *(Official Records of the General Assembly, Fiftieth Session, Plenary Meetings, 12th meeting, p. 4)*

It is regrettable that, 10 years after the Chernobyl nuclear plant accident, the ramifications of that disaster have not abated. Such tragic consequences to lives, property and the environment live on in our minds. Safeguards should be put in place to avoid future catastrophes. Similar mishaps have occurred on several occasions, revolving around the many accidents involving nuclear submarines, but these have been blanketed in secrecy. A study based on open and verifiable information referred to at least 13 collisions having taken place since 1965 between United States, Russian/Soviet, French, British and Chinese nuclear submarines and between nuclear submarines and military surface ships. Two such incidents have occurred since the end of the cold war. We might also point to the loss of seven nuclear reactors at sea when nuclear submarines sank during normal operations, the loss of 43 Soviet and seven United States nuclear warheads, and 612 accidents involving nuclear submarines alone. There are as yet no studies of their impact on the environment.

Given a situation in which nuclear strategic doctrine seems to be shifting away from the deployment of land-based systems in favour of sea-based systems, my delegation believes that it is vital for the Commission to consider this issue in its entirety. In this connection, the

recent decision of the European Parliament fully to address the issue of the threat of nuclear submarine operations to the global environment and security deserves our full and prompt support.

It has been estimated that the world's expenditure on weapons for military purposes amounts to over $900 billion a year and may reach $1 trillion by the end of the century. Yet about one billion people continue to live in abject poverty.

One of the saddest characteristics of our times is our penchant for killing. We are so skilful in manufacturing weapons and systems of death. Are death machines the only profit margin in the global market place? It has been reported that a consortium in Europe has submitted a $5-billion sales plan to sell 80 state-of- the-art planes and some super-intelligent cruise missiles to a developing country. If the sales go through, the bill will work out at roughly $20,000 per citizen of that country. It could also mean that given the size of that country, the sum involved would amount to $120,000 per square kilometre. The logic of the sale and the purchase is beyond comprehension and flies in the face of the one billion poor who live in areas of terrible neglect in various parts of the world.

Mr. Liu Jieyi (China)*(interpretation from Chinese)*: At the outset, Sir, the Chinese delegation would like to congratulate you on your assumption of the chairmanship of the current session of the Disarmament Commission. I am confident that with your outstanding diplomatic skill and rich experience, you will guide the session to positive results. The Chinese delegation, together with other delegations, will fully cooperate with you. The Chinese delegation would also like to express appreciation and thanks to the Chairman of the last session, Ambassador Erdenechuluun, for his contribution to the work of that session.

Since the last session, new progress has been registered in the disarmament field. The unflagging efforts of the African countries have culminated in the signing of the Treaty on an African Nuclear-Weapon-Free-Zone Treaty, which constitutes an important contribution to the objective of a nuclear-free world. China welcomes and supports the conclusion of the Treaty and, based on its long-standing unconditional commitment not to use or threaten to use nuclear weapons against non-nuclear States or nuclear-free zones, signed Protocols II and III of the Treaty on 11 April. Comprehensive test-ban treaty negotiations have made considerable headway and will hopefully produce a treaty this year. The Review Conference on the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or To Have Indiscriminate Effects adopted the Protocol on blinding laser weapons. Work on reviewing the Protocol on mines, booby traps and other devices has become more intensive.

Meanwhile we should also note that the concluded nuclear arms reduction Treaty has not yet taken effect and that those enormous nuclear arsenals still exist. There is no common commitment by all nuclear States not to be the first to use nuclear weapons and unconditionally not to use or threaten to use them against non-nuclear States or nuclear-free zones. Theatre missile defence programmes are still being pursued. It therefore remains an arduous task for the international community to work towards the complete prohibition and thorough destruction of all weapons of mass destruction, including nuclear weapons.

China has always attached importance to the work of the Disarmament Commission. As an important multilateral deliberative organ on disarmament, the Commission should be brought fully into play. In our view, the two-week duration this year should not set a precedent for the future. The items on the agenda, whether international arms transfers or an exchange of views on the fourth special session of the General Assembly devoted to disarmament (SSOD IV), should receive the same attention. The Chinese delegation will take part in the deliberations in a constructive manner.

Considerable work has been done on the item on international arms transfers, as evidenced by the Chairman's text encompassing the views of all sides. The Chinese delegation is in favour of taking the Chairman's text as the basis of our work and hopes that the current session will finalize guidelines with the participation of all countries.

In our view, all countries are entitled to acquire legitimate means of self-defence on the premise of maintaining world peace and security and not seeking armaments exceeding reasonable defence needs. This right is enshrined in the Charter. International arms transfers should serve to strengthen the defence capabilities of the recipient countries. They should by no means undermine regional or international peace, stability or security, or be used to interfere in the internal affairs of sovereign States. Unrestrained international arms transfers, particularly sales of large numbers of

sophisticated, advanced weapons to regions of tension by those possessing the largest conventional arsenals, and the exportation of great quantities of arms can only harm regional and world peace, stability and security. These countries should exercise restraint and put an end to irresponsible transfers. Countries possessing the largest conventional arsenals and exporting the most arms naturally bear a special responsibility for international arms transfers. We believe that the guidelines to be formulated should embody those principles and contribute to the solution of existing problems.

Illicit international arms transfers have already posed serious threats to the unification, stability and security of some countries. The international community should respond resolutely and decisively to this problem. China is ready with other countries, to examine measures to strengthen export controls and to contribute to the elimination of such transfers.

The exchange of views on SSOD IV is an important new item. The results of the three previous special sessions on disarmament, particularly the Final Document of SSOD I, have played a positive role in facilitating progress in the field of disarmament. China supports the holding of SSOD IV. In the new international situation, it is necessary to review the past and look into the future, so that the international community can jointly chart the future course of disarmament.

China stands for the complete prohibition and thorough destruction of nuclear weapons and has put forward a set of inter-related proposals for nuclear disarmament, including the conclusion of a treaty banning nuclear weapons, a non-first-use treaty and a treaty on unconditionally not using or threatening to use nuclear weapons against non-nuclear States or nuclear-free zones. Many other countries have also put forward reasonable proposals and views to facilitate the course of disarmament. It is of practical importance that we convene a special session to discuss these issues in depth. We hope that the current session will have a full exchange of views on SSOD IV to lay the ground for a good special session.

The task facing the current session is heavy, as its duration is short. The Chinese delegation is ready, Mr. Chairman, to work with you and other delegations for the success of the current session.

Mr. Valle (Brazil): Allow me first to express my delegation's satisfaction, Sir, at seeing you as Chairman of the Disarmament Commission. We would also like to thank your predecessor for his valuable efforts as Chairman of the 1995 session.

The delegation of Brazil is looking forward to the successful conclusion of the discussion of the item related to international arms transfers, with particular reference to General Assembly resolution 46/36 H. We also attach great importance to the item on exchange of views on the fourth special session of the General Assembly devoted to disarmament (SSOD I).

We expect the Disarmament Commission to show that it can produce concrete results. Too often, discussions here are blocked by rhetoric. This should not interfere with our will to seek common ground and to compromise.

Our delegation will present its views on the items of our agenda in the context of the respective Working Groups. I would like now to address some other general issues in the area of disarmament.

We are approaching a crucial point in our efforts to control the destructive potential of modern technology in the form of weapons of mass destruction. Either we move forward towards the complete elimination of nuclear, chemical and biological weapons or we run the risk of losing the window of opportunity opened with the end of the cold war.

In the nuclear area, the most urgent measure is, without doubt, the conclusion of a comprehensive test-ban treaty (CTBT). We are concerned that, at such a late stage in the negotiations, there are still some important areas of disagreement. The cessation of nuclear tests for all times is a moral and political imperative. Brazil has advocated such a treaty for more than 30 years — in fact, since the establishment of the 18-nation Committee on Disarmament, the forerunner of the Conference on Disarmament, in 1962. We welcome all adherents to this cause, however recent they may be, and earnestly hope that by the end of the current session of the General Assembly we will have signed a CTBT. In this connection, the pledge made at the Moscow summit last week by the leaders of the Group of Seven and Russia was encouraging.

A CTBT must be seen as a step towards the complete elimination of nuclear weapons. In this respect, the Canberra Commission, an independent group of experts convened on the initiative of the Government of Australia, is expected to prepare a report with concrete

suggestions that will be delivered to the General Assembly and to the Conference on Disarmament. The Permanent Representative and Head of Delegation of Brazil to the Disarmament Commission, Ambassador Celso Amorim, had the honour to be invited to join the Canberra Commission, which is in fact meeting today.

Also, in order to examine pragmatic and realistic ideas directed towards the elimination of nuclear weapons, we support the creation of an ad hoc group on nuclear disarmament at the Conference on Disarmament.

The spread of nuclear-weapon-free zones, especially in the southern hemisphere, has been an encouraging sign of support for nuclear non-proliferation in all its aspects, with a view to the complete elimination of nuclear weapons. We welcome the signature of the African and South-East Asian Nuclear-Weapon-Free Zone Treaties. As stated by the members of the Zone of Peace and Cooperation of the South Atlantic at their fourth meeting, held at Cape Town on 1 and 2 April 1996, these developments contribute to making the southern hemisphere and adjacent areas completely free from nuclear weapons.

In the area of chemical weapons, we are happy to announce that on 13 March 1996 Brazil became the forty-ninth country to ratify the chemical weapons Convention. We would like to reiterate the importance of the two declared possessors of chemical weapons being among the 65 original States members of the Convention.

In the area of biological weapons, we support the work of the ad hoc group that is developing a system for strengthening the Convention on the prohibition of biological weapons. We hope that the fourth review conference of the Convention, to be held later this year in Geneva, will provide impetus for the completion of the work of the ad hoc group in all areas: definitions and criteria, confidence-building measures, compliance measures and article-X measures.

Mr. Takht-Ravanchi (Islamic Republic of Iran): At the outset, Sir, I should like to extend my congratulations to you, on your well-deserved election to the chairmanship of the Disarmament Commission. I am confident that with your vast diplomatic skill and knowledge of disarmament and international security matters, you will effectively guide the deliberations of the Disarmament Commission to a successful conclusion. I would also like to express my delegation's sincere gratitude to your predecessor, Ambassador Erdenechuluun of Mongolia, who conducted the proceedings of the Commission in 1995 in such an exemplary manner. Let me also take this opportunity to extend my felicitations to the other members of the Bureau.

"International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991" is a familiar item on the agenda of the Disarmament Commission. Last year, thanks to your effective guidance as the Chairman of Working Group II, Sir, we made substantial progress in drawing up draft guidelines, principles and recommendations on this item. The issue, which has very direct and close links to international drug trafficking as well as to terrorism in all its forms, has had serious consequences for the security of a number of States around the globe. The Islamic Republic of Iran is of the view that, like terrorism and the drug menace, the illicit arms trade is an international problem requiring solutions based on international cooperation and a common approach. The Commission can thus play a very constructive role in this regard by identifying the reasons for illicit transfers of conventional arms, defining the responsibilities of supplier and recipient States and competent regional and international organizations, and establishing guidelines that could help tackle the problem of illicit transfers of conventional arms. We earnestly hope that all members of the Commission will do their best at the current session to bring consideration of this item to a successful end.

My delegation welcomes the inclusion of a new item on the agenda of the Commission, dealing with the fourth special session of the General Assembly devoted to disarmament (SSOD IV). This is a very important topic which demands serious consideration by all States. We are conscious of the apprehensions that have been expressed so far on the advisability of having such a session in 1997. However, my delegation is fully convinced that a high-level disarmament session before the turn of the century — and the millennium — can be useful in taking stock of the international community's achievements in the area of preventing war, disarmament and peace, and in setting the agenda in this field for the new century. A special session of the General Assembly devoted to disarmament and related security matters can effectively deal with such an agenda.

We should not forget the far-reaching impact of the Final Document of SSOD I over the past two decades on almost all activities in the sphere of disarmament and related security issues. Thus, every effort should be made to convene a new special session of the General Assembly devoted to disarmament in accordance with

General Assembly resolution 50/70 F, bearing in mind the need for adequate preparation, which could make such a session a real success.

In this context, we hope that the Disarmament Commission will this year engage in a serious and friendly discussion on this issue with a view to a better convergence of ideas on a set of guidelines which could guide our collective efforts aimed at substantive preparation for the special session. This could, among other things, save time and give focus to the first preparatory meeting for SSOD IV, planned for the first half of July this year.

I would also like to address briefly the current state of affairs with respect to the Disarmament Commission. This year, as in the past, setting the date, duration, agenda and other related aspects of the Commission became intense and somehow controversial. This is in addition to proposals in the air to discontinue, biennialize or shorten the duration of the Disarmament Commission. Arguments have also been advanced that this body has failed to produce concrete results on a number of items on its agenda. In the view of the Islamic Republic of Iran, nothing could be more erroneous than drawing a link between lack of consensus on an item on the Commission's agenda and the relevance of this important body. It is obvious that a specialized body with a universal membership, a heavy workload, and a relatively short session, operating on the basis of consensus, can easily fail to produce concrete results on an item when a single country refrains from joining the consensus, quite apart from the difficult nature of the issues and the already negative attitudes of certain States towards the Commission.

We are convinced that these problems can only be overcome by Member States and the Secretariat, *inter alia*, by changing attitudes and through a review of the rules upon which this body operates, specifically those reflected in document A/CN.10/137, adopted in 1989 and entitled "Ways and means to enhance the functioning of the Disarmament Commission". It is now clear that some of the provisions of that document, instead of enhancing the functioning of the Disarmament Commission, have crippled this important body.

With regard to the date and duration of the annual regular session of the Disarmament Commission, it goes without saying that the Commission takes precedence over ad hoc conferences and meetings dealing with disarmament matters. In the meantime, the Secretariat should arrange such ad hoc meetings or conferences in such a way as not to conflict with the annual regular session of the Disarmament Commission. In the rare situations where an overlap between meetings is inevitable, the Secretariat should make sure that the members of the Commission are consulted in advance.

Regarding the difficult and time-consuming process of choosing one or more agenda items each year for the annual session of the Disarmament Commission, a number of remedies could be considered, such as following the example of the Conference on Disarmament in Geneva in having a permanent agenda which could serve as the basis of a working agenda each year.

Lack of agreement so far on the third substantive item, on principles and guidelines on nuclear weapon-free zones, despite several months of intense consultations, is a good example of the deficiencies in the rules by which the Disarmament Commission operates. Located in a region which has been the scene of aggressions, expansionist tendencies, destabilizing conflicts and rivalries, an arms race, massive arms transfers, foreign military presence and unsafeguarded nuclear installations, the Islamic Republic of Iran has a genuine appreciation of the need for such an item dealing with nuclear-weapon-free zones. For its part, my delegation has tried hard to facilitate an agreement on a third item, most recently through our proposal in the informal meeting of the Commission last Friday, for an item entitled "General guidelines and principles on nuclear-weapon-free zones in the context of global efforts aimed at nuclear disarmament". Lack of agreement on a third item is inconceivable. We hope the current consultations on this issue bear fruit. In this regard, Sir, my delegation assures you of its full cooperation.

Mr. Sychou (Belarus) (*interpretation from Russian*): First of all, please allow me to join in the congratulations to you, Sir, on your election to your high post. The delegation of the Republic of Belarus is certain that under your leadership we will be able to achieve substantial progress during this substantive session of the Disarmament Commission. We also highly value the work of your predecessor, the representative of Mongolia, Mr. Erdenechuluun.

We agree with you, Sir, that the last session of the Disarmament Commission took place under special conditions: directly after the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) during which the decision was taken to extend the Treaty indefinitely. The present session too was preceded by an historic

event: the signing of the African Nuclear-Weapon-Free Zone Treaty — the Treaty of Pelindaba — which is an appropriate complement to the NPT.

The statement of the President of the Security Council of 12 April 1996 in connection with the signing of the Pelindaba Treaty was a positive factor supporting the trend towards the establishment of nuclear-free zones on the part of one of the main United Nations bodies responsible for the maintenance of international peace and security.

There have also recently been many other such events with different effects upon the maintenance of international peace and security. The signing of the Pelindaba Treaty served as a signal that the regional peace process can certainly go hand in hand with measures for unilateral nuclear disarmament in other regions, which is important for the security situation of the African continent. We hope that the signing of this Treaty will give new stimulus to freeing this and adjacent regions from weapons of mass destruction. We hope that other regions will soon follow the example of the Antarctic, the South Pacific, Latin America, and now Africa as well, which have made the southern hemisphere into a single zone free of nuclear weapons.

With the withdrawal of strategic nuclear weapons from our territory, we in central and eastern Europe are only now able to look towards the establishment of a nuclear-weapon-free zone. Such major initiatives clear the way for further efforts in the area of micro-disarmament, including for the purpose of blocking illegal flows of firearms, particularly in conflict zones.

We see here a special mission for the Working Group on international arms transfers, which is to conclude its activities at this session, with positive results, we hope. In our view, the problem of the prohibition of the use of anti-infantry landmines is of particular importance. Our delegation also notes the positive significance of the French decision to substantially decrease its nuclear arsenal.

Although the protocols to the Pelindaba Treaty have been bolstered by the signature of a number of nuclear Powers, these have not been without reservation. At the same time, the international community and, first and foremost, the African States, should be certain that the status of a nuclear-weapon-free zone in Africa is not undermined because of factors that seem to be beyond their control.

We also note that, the opportunity for all interested countries to intensify their participation in international disarmament negotiations has by no means materialized, particularly in the Conference on Disarmament, which has not so far carried out the provisions of General Assembly resolution 50/72 C calling for an increase in its membership.

These and many other facts show that, although many of the obstacles of recent decades to the achievement of universal and complete disarmament have been removed by joint efforts of Member States, a great deal still remains to be done. Many obstacles remain. Hence the important role of efforts to conclude as quickly as possible a comprehensive nuclear test-ban treaty, a ban on the production of fissile materials for weapons purposes and a treaty on legally binding security guarantees for States, and other urgent documents in the area of disarmament.

In the European region particular urgency has of late attached to adapting regional structures and agreements to new realities. At the same time, it is completely clear that in the post-cold-war period there can be no justification for extending military structures and bloc formations. However, we know that the potential threat of such developments remains; activity in this area is sometimes intense, creating new sources of distrust and suspicion among States.

From this standpoint we feel that attempts to extend the North Atlantic Treaty Organization (NATO) bloc eastward are unjustified in a historical sense. Our position on this question is well known; we have repeated it in the past and will continue to defend it in the future.

One of the questions we are to consider is "Exchange of views on the fourth special session of the General Assembly devoted to disarmament". We feel that in our consideration of this question we should take into account the positions of all member States, both major contributors to the Organization's budget and small countries. Proposals for the agenda of that session, should be based on the many items that will be before disarmament forums in the coming years. A duplication of questions under consideration would be unproductive. Consensus is important with respect to these problems.

On recommendations for agenda items for the fourth special session of the General Assembly on disarmament, it is important that the session be able to draw up a balance sheet of international negotiations on

disarmament and set guidelines for the coming period, for the beginning of the next millennium. We feel that we must have enough time for careful consideration of this important international endeavour.

These considerations convince us that the Disarmament Commission gives all member States a unique opportunity to state their views on the whole set of disarmament questions, and that it should continue to work within the present system, following the established practice, which has withstood the test of time.

The meeting rose at 4.55 p.m.